

18FE013037

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FILED  
ENDORSED  
JUL 9 2018  
By *[Signature]* R. WEL'S  
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF SACRAMENTO

13 **THE PEOPLE OF THE STATE OF**  
14 **CALIFORNIA,**  
15  
16 **v.**  
17 **GARY ROYCE WISNER,**  
18  
19 **Plaintiff,**  
**Defendant.**

Case No. 18FE013037  
**FELONY COMPLAINT**  
[AG DOCKET No: SA2016103925]

20 The People of the State of California hereby allege that in the County of Sacramento,  
21 State of California, and elsewhere, within the State of California, before the drafting of this  
22 criminal complaint, the above-named defendant, Gary Wisner (DOB 7/24/1956), committed the  
23 following criminal offenses, all connected in their commission yet constituting separate criminal  
24 offenses:

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**COUNT 1**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, August 17, 2016 and December 6, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving J. Martinez and the Medi-Cal Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 2**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, July 10, 2015 and July 29, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving K. Chitwood and the Medi-Cal Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 3**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, May 29, 2015 and March 23, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving M. Berkeland and the Medi-Cal Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 4**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, April 15, 2016 and October 31, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving B. Frechette and the Medi-Cal Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

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**COUNT 5**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, January 12, 2016 and December 1, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving A. Suddith and the Medi-Cal Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 6**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, October 28, 2013 and September 23, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving C. Grabowski and the Medicare Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 7**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, January 7, 2013 and September 9, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving B. Figueroa and the Medicare Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 8**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, November 6, 2013 and February 13, 2015, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving G. Mettler and the Medicare Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

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**COUNT 9**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

On or about, and between, February 7, 2013 and September 23, 2015, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving M. Brusstar and the Medicare Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

**COUNT 10**

**Penal Code section 550, subdivision (a)(5) – Felony  
Healthcare Insurance Fraud – 2, 3, or 5 years**

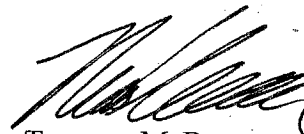
On or about, and between, April 1, 2016 and August 26, 2016, Gary Wisner did knowingly prepare, make, or subscribe writings, with the intent to present and use them, or allow them to be presented, in support of false and fraudulent claims involving K. Rosen and the Medicare Healthcare Insurer, in violation of Penal Code section 550, subdivision (a)(5), a felony.

I declare under penalty of perjury, on information and belief, pursuant to the laws of the State of California, that the foregoing is true and correct.

Dated: July 5<sup>th</sup>, 2018

Respectfully Submitted,

XAVIER BECERRA  
Attorney General of California



THOMAS M. BRENNAN  
Deputy Attorney General  
*Attorneys for the People of the State of  
California*

1 REQUEST FOR DISCOVERY

2 Pursuant to Penal Code section 1054.5, subdivision (b), the People request from defendant  
3 and defense counsel all materials and information required to be disclosed to the prosecution by  
4 the defense under the authority of Penal Code section 1054.3, including the following:

5 1. The names and addresses of persons, other than the defendants, whom the  
6 defendants intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].

7 2. Any relevant written or recorded statements of persons whom the defendants  
8 intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].

9 3. Any reports of the statements of persons whom the defendants intend to call as  
10 witnesses at trial. [Pen. Code § 1054.3, subd. (a)].

11 4. Any reports or statements of experts made in connection with the case. [Pen. Code  
12 § 1054.3, subd. (a)].

13 5. Any results of physical or mental examinations, scientific tests, experiments or  
14 comparisons which the defendants intend to offer in evidence at the trial. [Pen. Code § 1054.3,  
15 subd. (a)].

16 6. Any real evidence which the defendant intends to offer in evidence at the trial.  
17 [Pen. Code § 1054.3, subd. (a)].

18 This is a continuing request for the above information. If the information becomes  
19 available at a future time, the prosecution, by this request, asks that it be immediately disclosed to  
20 the prosecution.

**HOLDING ORDER**

Defendant GARY WISNER:

Based on the evidence presented at the preliminary hearing, it appears that the following offenses charged in the above Complaint have been committed and there is sufficient cause to believe Defendant GARY WISNER is guilty of these offenses.

Defendant has waived preliminary hearing of the offenses charged in the above complaint. Exceptions/Additions/Conditions: \_\_\_\_\_

IT IS ORDERED, pursuant to Penal Code section 872, it appearing that the offense(s) in the within complaint have been committed, and that there is sufficient cause to believe that the Defendant is guilty and held to answer in Superior court to the following offenses:

COUNT	CHARGE	CHARGE RANGE
1	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
2	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
3	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
4	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
5	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
6	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
7	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years

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8	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
9	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years
10	Penal Code section 550(a)(5) – a Felony Healthcare Fraud	2, 3, or 5 years

In my capacity as Judge of the Superior Court, I deem the within Complaint to be the Information and order it filed as such in the Superior Court.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT